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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Case No. 2:21-cr-00134-JAD-DJA

Plaintiff,

Stipulation for Protective Order

V.

NICOLE MARIE SCUDERI,

Defendant.

The parties, by and through the undersigned, respectfully request that the Court
in order protecting from disclosure to the public, or any third party not directly
related to this case, any documents, recordings, or other tangible things produced by the
Government during discovery that contain the confidential personal identifying information
of individuals referenced in the discovery. The parties state as follows:

1. The discovery to be produced in connection with this case contains confidential personal identifying information, including names, addresses, debit/credit card and bank account numbers of third parties.

2. In order to protect the privacy of the individuals referenced in the discovery, the parties intend to restrict access to the following individuals: attorneys for all parties, and

any personnel that the attorneys for all parties consider necessary to assist in performing that attorney's duties in the prosecution or defense of this case, including investigators, paralegals, retained experts, support staff, interpreters, and any other individuals specifically authorized by the Court (collectively, the "Covered Individuals").

3. The Covered Individuals shall be advised of the Protective Order, and, without leave of Court, the Covered Individuals shall not:

- a. make copies for, or allow copies of any kind to be made by any other person of the Protected Information in this case;
- b. unless as otherwise provided in this agreement, allow any other person to read, listen, or otherwise review the Protected Information in this case;
- c. use the Protected Information for any purpose other than preparing to defend against or prosecute the violations in the Petition, Addendum, and pre-indictment charges, or any further charges arising out of these cases; or
- d. attach any Protected Information to any of the pleadings, briefs, or other court filings except to the extent those pleadings, briefs, or filings are filed under seal or properly compliant with LR IC 6-1.

4. Defendant shall only be permitted to review the Protected Information in the offices of her defense counsel. While reviewing the Protected Information, Defendant shall not have access to a cellular phone or any digital recording device. Defendant shall not include Protected Information in any written notes. Defense counsel shall inspect all written notes made by defendant to ensure compliance with the aforementioned provision.

5. Nothing in this stipulation is intended to restrict the parties' use or introduction of the Protected Information as evidence at trial or support in motion practice.

6. The parties shall inform any person to whom disclosure may be made pursuant to this order of the existence and terms of this Court's order. The parties reserve the right to seek to modify the terms of this protective order at a later time pursuant to Federal Rule of Criminal Procedure 16(d)(1). Should a reasonable need for this protective order cease to exist, on grounds other than a Covered Individual or some other person violating or circumventing its terms, the Government will move expeditiously for its dissolution.

7. In the event of an inadvertent disclosure of the Protected Information, the party making or learning of the inadvertent disclosure will immediately:

- a. Notify the person to whom the disclosure was made that it contains Protected Information subject to a Protective Order;
- b. Make all reasonable efforts to preclude dissemination or use of the Protected Information by the person to whom disclosure was inadvertently made;
- c. Notify the Government and other parties of the identity of the person to whom the disclosure was made, the circumstances surrounding the disclosure, and the steps taken to ensure against further dissemination or use of the information; and
- d. Notify the Court in writing under seal.

8. The defense hereby stipulates to this protective order.

1 Respectfully submitted,

2 For the United States:

3 CHRISTOPHER CHIOU
4 Acting United States Attorney

5 s/ Simon F. Kung

6 Simon F. Kung
7 Assistant United States Attorney

8 For the Defense:

9 s/ Joanne Diamond

10 Joanne Diamond
11 Assistant Federal Public Defender
12 Attorney for Nicole Marie Scuderi

13 **IT IS SO ORDERED:**

14 
15 HON. DANIEL J. ALBREGTS
16 UNITED STATES MAGISTRATE JUDGE

17 August 16, 2021

18 _____
19 Date

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